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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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MARLON LORENZO BROWN,

Plaintiff,

v.

JOE LOMBARDO et al.,

Defendants.

Case No. 2:18-cv-00165-KJD-NJK

ORDER

I. DISCUSSION

Plaintiff, who is an inmate in the custody of the Clark County Detention Center (“CCDC”), has submitted a civil rights complaint pursuant to 42 U.S.C. § 1983 and has filed an application to proceed *in forma pauperis* and a motion to consolidate cases. (ECF Nos. 1, 1-1, 3). In the motion to consolidate, Plaintiff seeks to consolidate the instant case with his other case, *Brown v. Tromba*, 2:17-cv-02396-APG-PAL. (ECF No. 3). The Court has not yet screened the complaint in the instant case.

In *Tromba*, Plaintiff filed a motion requesting dismissal or consolidation of the instant case with *Tromba*. (2:17-cv-02396-APG-PAL, ECF No. 16 at 1). Plaintiff asserts that he included the allegations and causes of action from the instant case into his second amended complaint in *Tromba*. (*Id.* at 2). Plaintiff asserts that dismissal or consolidation of the instant case could save the Court time. (*Id.*)

The Court denies the motion to consolidate the instant case with *Tromba*. Consolidation is proper for actions that involve a common question of law or fact. See

1 Fed. R. Civ. P. 42(a). Here, Plaintiff has re-alleged the same allegations and claims from
2 the instant case into *Tromba*. As such, the Court finds that consolidation is unnecessary
3 and that the instant case should be dismissed, without prejudice, as duplicative of
4 *Tromba*.

5 **II. CONCLUSION**

6 For the foregoing reasons, it is ordered that the application to proceed *in forma*
7 *pauperis* (ECF No. 1) is denied as moot.

8 It is further ordered that the motion to consolidate (ECF No. 3) is denied.

9 It is further ordered that the complaint (ECF No. 1-1) is dismissed in its entirety,
10 without prejudice, as duplicative.¹ The allegations and claims in this case will be
11 addressed in *Brown v. Tromba*, 2:17-cv-02396-APG-PAL.

12 It is further ordered that the Clerk of the Court enter judgment in this case.

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14 DATED THIS 27 day of August 2018.



16 UNITED STATES DISTRICT JUDGE

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¹ This case will not count as a strike under 28 U.S.C. § 1915(g) in light of Plaintiff's attempt to dismiss/consolidate his duplicative litigation.